

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHEN DOHERTY, individually & as :
P/N/G of JACOB DOHERTY, & as :
Executor/personal representative of the :
Estate of Judith Lubeck-Doherty :

CIVIL ACTION NO. 11-1513

v. :

FIRST COLONY LIFE :
INSURANCE COMPANY :
and :
GENWORTH LIFE AND ANNUITY :
INSURANCE COMPANY :
and :
GREAT AMERICAN LIFE :
INSURANCE COMPANY :
and :
GLEN R. GOLISH :
and :
GOLISH FINANCIAL GROUP, LLC :
and :
JOSHUA LUBECK :

**DEFENDANT, JOSHUA LUBECK'S RESPONSE TO PLAINTIFF'S RESPONSE
TO DEFENDANT'S MOTION TO DISMISS**

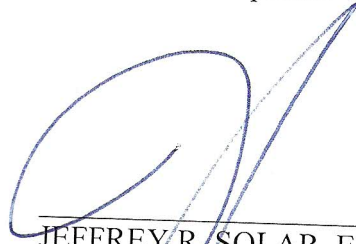
MEMORANDUM OF LAW

I. Defendant repeats and re-states the facts in its Memorandum of Law filed in this matter and its Motion to Dismiss.

Plaintiff, in its argument at page six (6) of its Motion plaintiff cites the same case of **Helicopteros Nacionales de Colombia**, S.A. v. Hall, 466 U.S. 408, 414 N. 8, 104 S. Ct. at 1872 that defendant cites, however, defendant misquotes and provides the court with a misstatement of the law. The correct State of the Law is as follows: "In order to count for specific jurisdiction purposes the **cause of action** must **arise** out of or relate to defendant's contacts with the forum". Aircraft Guarantee Corp. v. Strato Lift Inc., 974 F. Supp. 468 (E.D. PA 1997) at 472 quoting Helicopteros.

II. **Conclusion**

This Honorable Court should dismiss Plaintiff's Complaint.

A handwritten signature in blue ink, appearing to read 'J. Solar', is written over a horizontal line.

JEFFREY R. SOLAR, ESQUIRE
Attorney for Defendant,
Joshua Lubeck
By: Jeffrey R. Solar, Esquire
Attorney I.D. No. 43840
349 Bustleton Pike, Front Building
Feasterville, PA 19053
(215) 354-0501

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ORDER

This cause came to be heard upon the motion of Jeffrey R. Solar, Esquire,
attorney for defendant, Joshua Lubeck, to dismiss this action for lack of jurisdiction of
the person of the defendant.

It is hereby **ORDERED** that the motion be and is hereby **SUSTAINED** and that
this action be and is hereby dismissed for lack of jurisdiction of the person of the
defendant.

Dated this day of , 2011

Enter:

United States District Judge

I, Jeffrey R. Solar, Esquire, counsel for Defendant, Joshua Lubeck, hereby certify that I filed the foregoing Defendant's Response to Plaintiff's Response to Defendant's Motion to Dismiss with Memorandum of Law and that all parties have been served via ECF email.

Dated: June 20, 2011

/s/ Jeffrey R. Solar, Esquire